IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.127 OF 2006

IN

SUMMARY SUIT NO.2341 OF 2005

Linlite Sales Corporation. ...Plaintiff.

vs.

Koyal Textiles Pvt. Ltd. ...Defendant.

Mr.M.J.Devani, for Plaintiff.

Ms.Kavita Shah, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 25th July, 2006.

P.C.:-

1. The plaintiff has filed this suit for recovery of the price of the goods sold by the plaintiff to the defendant. The plaintiff relies on the invoice under which the goods were sold. The defendant is served with the summons for judgment. The defendant has not applied for leave to defend as required under the provisions of Order 37 of Civil Procedure Code. In the absence of any application for leave to defend,

in terms of the provisions of Order 37 of C.P.C. the plaintiff becomes entitle to a decree.

2. Heard the learned Counsel appearing for the plaintiff. Perused the record. Summons for Judgment is granted. The suit is decreed in terms prayer clause (a) & (b) of the suit. Refund of Court fees as per rules.